

PATENT APPLICATION

Attorney Docket No. 67103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Laye et al.


Appln. No.:

Filed: Herewith

For: PROCESS CHEESE CONTAINING
INCREASED LEVELS OF WHEY
PROTEIN

Group Art Unit:

Examiner:

) CERTIFICATE OF MAILING BY "EXPRESS MAIL"
)
) "Express Mail" Mailing Label Number
) EL667459506US
)
) Date of Deposit June 15, 2001
)
) I hereby certify that this paper or fee is
) being deposited with the United States Postal
) Service "Express Mail Post Office to
) Addressee" Service under 37 CFR §1.10 on the
) date indicated above and is addressed to the
) Commissioner of Patents and Trademarks,
) Washington, D.C. 20231.
)
) Ed Price
) (Typed or printed name of person mailing)
)
) 
) (Signature of person mailing)
)

ASSOCIATE POWER OF ATTORNEY

Commissioner of Patents and Trademarks
ATTENTION: Assistant Commissioner
for Patents
Washington, D.C. 20231

Dear Sir:

The undersigned attorney-of-record in the above-identified patent application hereby appoints the following as Associate Attorneys in connection with said application to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith:

Attorney

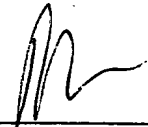
Registration No.

Joseph T. Harcarik	26,904
Thomas A. Marcoux	29,826
Debbie K. Wright	33,817

All communications with respect to said application should be directed to FITCH, EVEN, TABIN & FLANNERY, 120 South LaSalle Street, Suite 1600, Chicago, Illinois 60603-3406, Telephone No. (312) 577-7000.

June 15, 2001

(Date)


Richard A. Kaba
Registration No. 30,562

DECLARATION
FOR UTILITY OR DESIGN
PATENT APPLICATION

☒ Declaration Submitted With Initial Filing
☐ Declaration Submitted After Initial Filing

) Attorney Docket No.: 67103
)
) First Named Inventor: Isabelle Laye et al.
)
) Application Number:
)
) Filing Date: Herewith
)
) Group Art Unit:
)
) Examiner Name:

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PROCESS CHEESE CONTAINING INCREASED
LEVELS OF WHEY PROTEIN

(Title of Invention)

the specification of which:

(X) is attached hereto, or

() was filed by an authorized person on my behalf on _____ (Date)
as United States Application Number _____
or PCT International Application Number _____,
and was amended on _____ (if applicable).
(Date)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below, and I have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application, on this invention filed by me or my legal representatives or assigns and having a filing date before that of the application on which priority is claimed:

Prior Foreign Application Number(s)	Country	Foreign Filing Date	Priority Not Claimed	Certified Copy Attached	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

<u>Provisional Application</u>	<u>Provisional Application</u>
<u>Number(s)</u>	<u>Filing Date</u>

☐ Additional provisional application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under Title 35, United States Code, §120, of any prior United States application(s), or under §365(c) of any PCT international application(s) designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information known by me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<u>Prior U.S.</u>	<u>Prior PCT</u>	<u>Filing Date of</u>	
<u>Application Number</u>	<u>International</u>	<u>U.S. or PCT</u>	
	<u>Application Number</u>	<u>International</u>	<u>Patent Number</u>
		<u>Application</u>	<u>(if applicable)</u>

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet attached hereto.

As a named inventor, I hereby appoint the practitioners associated with Customer Number 22242, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, and request that all correspondence and telephone calls in respect to this application be directed to FITCH, EVEN, TABIN & FLANNERY, Suite 1600, 120 South LaSalle

Street, Chicago, Illinois 60603-3406, Telephone No. (312) 577-7000,
Facsimile No. (312) 577-7007, CUSTOMER NUMBER 22242.



I hereby declare that all statements made herein of my own knowledge are true, and that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity or enforceability of the application or any patent issued thereon.

Full name of sole or one
joint inventor:

Isabelle Lave
(Given names first, with Family name last)

Inventor's signature:

[Signature]

Date:

June 7, 2001

Residence:

Wheeling, Illinois
(City and State for U.S. Residents;
City and Country for others)

Post Office Address:

1504 Canbury Court
Wheeling, IL 60090

Citizenship:

France

Full name of sole or one
joint inventor:

Ted Riley Lindstrom
(Given names first, with Family name last)

Inventor's signature:

Ted Riley Lindstrom

Date:

June 7, 2001

Residence:

Lake Forest, Illinois
(City and State for U.S. Residents;
City and Country for others)

Post Office Address:

6 Parton Court
Lake Forest, IL 60045

Citizenship:

United States

Full name of sole or one joint inventor:

Leslie Lowry
(Given names first, with Family name last)

Inventor's signature:

Leslie Lowry

Date:

June 11, 2001

Residence:

Prairie View, Illinois
(City and State for U.S. Residents;
City and Country for others)

Post Office Address:

20806 Elizabeth Avenue
Prairie View, IL 60069

Citizenship:

United States

Full name of sole or one joint inventor:

Fu-I Mei
(Given names first, with Family name last)

Inventor's signature:

Fu-I Mei

Date:

June 11, 2001

Residence:

Wheeling, Illinois
(City and State for U.S. Residents;
City and Country for others)

Post Office Address:

480 Bridle Trail
Wheeling, IL 60090

Citizenship:

Citizen of Taiwan, Peoples Republic of China

Full name of sole or one joint inventor:

Matthew Zwolfer
(Given names first, with Family name last)

Inventor's signature:

Matthew Zwolfer

Date:

June 12, 2001

Residence:

Chicago, Illinois
(City and State for U.S. Residents;
City and Country for others)

Post Office Address:

2147 N. Harlem
Chicago, IL 60707

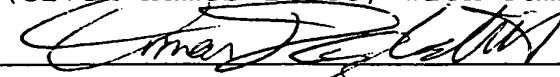
Citizenship:

United States

Full name of sole or one
joint inventor:

Omar Diaz-Castillo
(Given names first, with Family name last)

Inventor's signature:



Date:

6/8/2001 - June 8, 2001

Residence:

Chicago, Illinois
(City and State for U.S. Residents;
City and Country for others)

Post Office Address:

4334 N. Hazel Street

Chicago, IL 60613

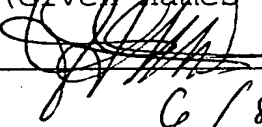
Citizenship:

United States

Full name of sole or one
joint inventor:

Jordan Dolande
(Given names first, with Family name last)

Inventor's signature:



Date:

6/8/01 (June 8, 2001)

Residence:

Crystal Lake, Illinois
(City and State for U.S. Residents;
City and Country for others)

Post Office Address:

6717 Meadow Drive

Crystal Lake, IL 60012

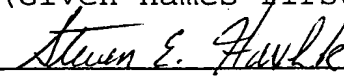
Citizenship:

United States

Full name of sole or one
joint inventor:

Steven Havlik
(Given names first, with Family name last)

Inventor's signature:



Date:

June 7, 2001

Residence:

South Elgin, Illinois
(City and State for U.S. Residents;
City and Country for others)

Post Office Address:

381 Hobart Drive

South Elgin, IL 60177

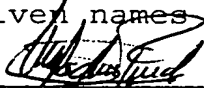
Citizenship:

United States

Full name of sole or one
joint inventor:

Vladimir Rueda
(Given names first, with Family name last)

Inventor's signature:



Date:

6/8/01 (June 8, 2001)

Residence:

Chicago, Illinois
(City and State for U.S. Residents;
City and Country for others)

Post Office Address:

2117 W. Farrgut Avenue

Chicago, IL 60625

Citizenship:

United States

A S S I G N M E N T

We, ISABELLE LAYE, of Wheeling, TED RILEY LINDSTROM, of Lake Forest, LESLIE LOWRY, of Prairie View, FU-I MEI, of Wheeling, MATTHEW ZWOLFER, of Chicago, OMAR DIAZ-CASTILLO, of Chicago, JORDAN DOLANDE, of Crystal Lake, STEVEN HAVLIK, of South Elgin, VLADIMIR RUEDA, of Chicago, all of the State of Illinois, for good and valuable consideration, receipt of which is hereby acknowledged, have assigned and do hereby assign to KRAFT FOODS HOLDINGS, INC., a Delaware corporation, of Three Lakes Drive, Northfield, Illinois 60093 and having an office at 555 South Broadway, Tarrytown, New York 10591, its successors, assigns and legal representatives, the entire right, title and interest in and to all subject matter invented by us and disclosed in application for Letters Patent of the United States entitled

PROCESS CHEESE CONTAINING
INCREASED LEVELS OF WHEY PROTEIN

signed by us on the date shown below; and in and to all Letters Patent and all Convention and Treaty rights of all kinds, in all countries throughout the world, for all such subject matter. We agree to sign all documents necessary to secure all said Letters Patent and rights, and request issuance of all said Letters Patent to the above assignee in accordance with this request.

June 7, 2001

ISABELLE LAYE

June 7, 2001

TED RILEY LINDSTROM

June 11, 2001

LESLIE LOWRY

June 11, 2001

FU-I MEI

June 12, 2001

Matthew Zwolfer

MATTHEW ZWOLFER

June 8, 2001

Omar Diaz-Castello

OMAR DIAZ-CASTELLO

June 8, 2001

Jordan Bolande

JORDAN BOLANDE

June 7, 2001

Steven E. Havlik

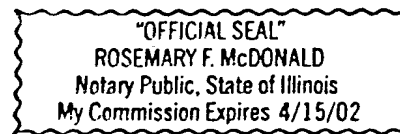
STEVEN HAVLIK

June 8, 2001

Vladimir Rueda

VLADIMIR RUEDA

State of Illinois)
) SS
County of Cook)

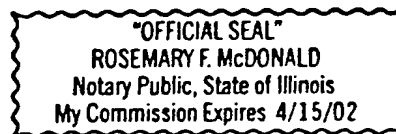


I hereby certify that before me at Glenview, in the County of Cook and State of Illinois personally appeared **ISABELLE LAYE**, personally known by me, who then and there was duly sworn by me and under oath acknowledged that the foregoing Assignment was duly signed, sealed and delivered by him on the date appearing at the foot thereof.

June 7, 2001

Rosemary F. McDonald
Notary Public

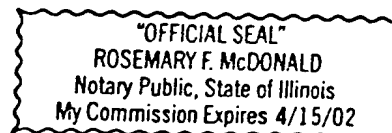
State of Illinois)
) SS
County of Cook)



I hereby certify that before me at Glenview, in the County of Cook and State of Illinois personally appeared **TED RILEY LINDSTROM**, personally known by me, who then and there was duly sworn by me and under oath acknowledged that the foregoing Assignment was duly signed, sealed and delivered by him on the date appearing at the foot thereof.

June 7, 2001

Rosemary F. McDonald
Notary Public



State of Illinois)
) SS
 County of Cook)



I hereby certify that before me at Glenview, in the County of Cook and State of Illinois personally appeared **LESLIE LOWRY**, personally known by me, who then and there was duly sworn by me and under oath acknowledged that the foregoing Assignment was duly signed, sealed and delivered by him on the date appearing at the foot thereof.

June 11, 2001 Sally A. Rakestraw
 Notary Public

State of Illinois)
) SS
 County of Cook)



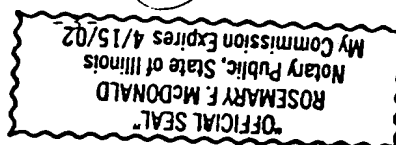
I hereby certify that before me at Glenview, in the County of Cook and State of Illinois personally appeared **FU-I MEI**, personally known by me, who then and there was duly sworn by me and under oath acknowledged that the foregoing Assignment was duly signed, sealed and delivered by him on the date appearing at the foot thereof.

June 11, 2001 Sally A. Rakestraw
 Notary Public

State of Illinois)
) SS
 County of Cook)

I hereby certify that before me at Glenview, in the County of Cook and State of Illinois personally appeared **MATTHEW ZWOLFER**, personally known by me, who then and there was duly sworn by me and under oath acknowledged that the foregoing Assignment was duly signed, sealed and delivered by him on the date appearing at the foot thereof.

June 11, 2001 Rosemary J. McDonald
 Notary Public



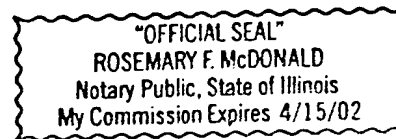
State of Illinois)
) SS
 County of Cook)



I hereby certify that before me at Glenview, in the County of Cook and State of Illinois personally appeared **OMAR DIAZ-CASTILLO**, personally known by me, who then and there was duly sworn by me and under oath acknowledged that the foregoing Assignment was duly signed, sealed and delivered by him on the date appearing at the foot thereof.

June 8, 2001 Rosemary F. McDonald
 Notary Public

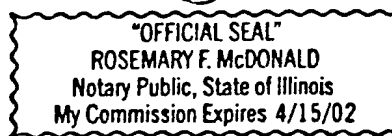
State of Illinois)
) SS
 County of Cook)



I hereby certify that before me at Glenview, in the County of Cook and State of Illinois personally appeared **JORDAN DOLANDE**, personally known by me, who then and there was duly sworn by me and under oath acknowledged that the foregoing Assignment was duly signed, sealed and delivered by him on the date appearing at the foot thereof.

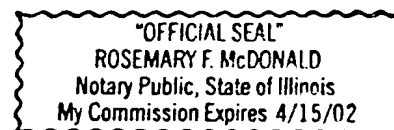
June 8, 2001 Rosemary F. McDonald
 Notary Public

State of Illinois)
) SS
 County of Cook)



I hereby certify that before me at Glenview, in the County of Cook and State of Illinois personally appeared **STEVEN HAVLIK**, personally known by me, who then and there was duly sworn by me and under oath acknowledged that the foregoing Assignment was duly signed, sealed and delivered by him on the date appearing at the foot thereof.

June 7, 2001 Rosemary F. McDonald
 Notary Public



State of Illinois)
) SS
County of Cook)



I hereby certify that before me at Glenview, in the County of Cook and State of Illinois personally appeared **VLADIMIR RUEDA**, personally known by me, who then and there was duly sworn by me and under oath acknowledged that the foregoing Assignment was duly signed, sealed and delivered by him on the date appearing at the foot thereof.

June 4, 2001

Rosemary J. McDonald
Notary Public

